

**MONDAY, MAY 22, 1911.**

**FOUR O'CLOCK P. M.**

The Senate met pursuant to adjournment.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Stokes, Williams, Wilson, Withers, Zim—27.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of May 19 was dispensed with.

The Journal of May 19 was corrected, and approved as corrected.

**REPORTS OF COMMITTEES.**

Mr. Culpepper, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 22, 1911.

*Hon. F. P. Cone,*

*President of the Senate.*

*Sir:*

Your Joint Committee on Enrolled Bills, to whom was referred—

An Act to establish the municipality of the Town of Callahan, to provide for its government, fix its territorial limits, and to prescribe its jurisdiction and powers.

Also—

An Act to organize a municipal government for the Town of Brooker, in the County of Bradford, State of Florida, and to provide for its government.

Also—

An Act to abolish the present municipal government

of the Town of Green Cove Springs, Florida, and to organize a commission form of government for said town, and to provide its jurisdiction and powers.

Begs to report that the same have been duly signed by the Speaker and Chief Clerk of the House of Representatives, and are herewith presented to the Senate for the signatures of the President and Secretary thereof.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee.

Mr. Culpepper, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 22, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*  
Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

An Act to create a State School Book Commission and to provide for use in the public schools of the State of Florida a uniform series of text books, and to define the duties and powers of said commission to make preparation for carrying this Act into effect, and providing penalties for violation of same.

Also—

An Act to prohibit the printing and publication of the name or identity of any female raped or upon whom an assault may be made with intent to commit rape in this State, and providing a penalty for the violation thereof.

Also—

An Act to legalize the incorporation of the Town of Raiford, in Bradford County, Florida, to declare the incorporation and ordinances of said town of full force and effect.

Also—

An Act authorizing the Board of County Commissioners of Suwannee County, Florida, to issue interest-bearing time warrants or county script for the purpose of raising funds with which to open, lay out, establish, grade, pave, repair, improve and construct public roads and highways

within said county and to purchase all necessary teams, wagons, tools, implements, machinery, supplies and appliances for such purposes, providing for the issuing of said warrants under certain circumstances and for the levy of a special tax to redeem said warrants or script.

Also—

An Act to require persons, firms and corporations maintaining and operating public bath houses, bathing pavilions and other similar places at seaside resorts, to maintain life lines and life rafts for the protection of bathers, and providing a penalty for failure to do so.

Also—

An Act declaring the Town of Fort Myers, Lee County, Florida, a city with all the rights and privileges of a city in addition to the rights and privileges heretofore conferred upon such town.

Begs to report that the same have been duly signed by the Speaker and Chief Clerk of the House of Representatives, and are herewith presented to the Senate for the signatures of the President and Secretary thereof.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee.

Mr. Culpepper, Chairman of the Joint Committee on Enrolled Bills, submitted the following report

Senate Chamber,

Tallahassee, Fla., May 22, 1911.

*Hon. F. P. Cone,*

*President of the Senate.*

*Sir:*

Your Joint Committee on Enrolled Bills, to whom was referred—

A Memorial to the Congress of the United States requesting that an appropriation of one hundred thousand dollars be made for the purpose of purchasing by the government of the United States the territory known as Dade's Battle Ground, in Sumter County, Florida; turning said territory into a national park, and marking the site of the said battle with an appropriate monument.

Also—

An Act to repeal Chapter 5293 of the Acts of 1903, the

same being An Act to regulate the hunting of deer, turkey and other wild game in Lafayette County.

Also—

An Act to amend Section 1586 of the General Statutes of the State of Florida, as amended by Chapter 5647 of the Acts of 1907, and as further amended by Chapter 5900 of the Acts of 1909, the same being relative to the pay of jurors.

Also—

An Act to amend Section 24 of the General Statutes of the State of Florida, relating to the boundaries of Lafayette County.

Also—

An Act legalizing the general election held in the City of Live Oak, Florida, on the 2nd day of May, A. D. 1911, and declaring the city officers elected thereat to be duly elected officers of said city.

Begs to report that the same have been duly signed by the Speaker and Chief Clerk of the House of Representatives, and are herewith presented to the Senate for the signatures of the President and Secretary thereof.

Very respectfully,

C. T. CULPEPPER,

Chairman of Committee.

Mr. Culpepper, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 22, 1911.

*Hon. F. P. Cone,*

*President of the Senate.*

*Sir:*

Your Joint Committee on Enrolled Bills, to whom was referred—

A Joint Resolution proposing an amendment to Article V of the Constitution of the State of Florida, relative to the Judiciary Department.

Also—

A Bill to provide for the appointment of an Inspector of Nursery Stock, etc.

Also—

An Act to aid the Florida Division of Confederate Vet-

erans to erect in this State a monument or memorial in honor of the women of Florida and of the South in memory of their heroism, devotion and self-sacrifice during the Civil War in 1861-1865, and to appropriate five thousand dollars therefor.

Also—

An Act to require that all railroad locomotives operated and used for drawing passenger and freight trains shall be equipped with and use a headlight, and providing a penalty for a violation of said Act.

Also—

An Act to amend Chapter 5609 of the Laws of Florida, entitled An Act to provide for the enumeration of agricultural, horticultural, live stock, manufacturing, industrial and other statistics, etc.

Also—

An Act to amend Section 1 of Chapter 5431, being An Act for the protection of shad in this State; to prescribe a close season thereon; to prohibit the transportation or possession of such shad during such close season.

Begs to report that the same have been duly signed by the Speaker and Chief Clerk of the House of Representatives, and are herewith presented to the Senate for the signatures of the President and Secretary thereof.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee.

Mr. Culpepper, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 22, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

An Act to abolish the present municipal government of the City of Tallahassee, in the County of Leon, in the State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Tallahassee, and to define its territorial boundaries and

to provide for its government, jurisdiction, powers, franchises and privileges.

Begs to report that the same has been duly signed by the Speaker and Chief Clerk of the House of Representatives, and is herewith presented to the Senate for the signatures of the President and Secretary thereof.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee.

Mr. Culpepper, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 22, 1911.

*Hon. F. P. Cone,*

*President of the Senate.*

*Sir:*

Your Joint Committee on Enrolled Bills, to whom was referred—

An Act regulating the manner of catching fish in the fresh water lakes and streams of Leon County, and providing punishment for the violations of this Act.

Also—

An Act to amend Section 4 of Chapter 6057 of the Laws of Florida, being entitled An Act to incorporate the Town of Gretna, in Gadsden County, Florida; to establish a municipal government, and to prescribe its jurisdiction and powers.

Also—

An Act to prevent the hunting, chasing, trapping, shooting or killing of deer, turkey and quail in the counties of Taylor and Lafayette for the term of five years.

Has carefully examined the same and finds them correctly enrolled.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee.

The Acts contained in the above report, were ordered referred to the Joint Committee on Enrolled Bills, to be conveyed to the House of Representatives, for the signatures of the Speaker and Chief Clerk thereof.

Mr. Culpepper, Chairman of the Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 22, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

*Sir:*

Your Committee on Enrolled Bills, to whom was referred—

An Act regulating the manner of catching fish in the fresh water lakes and streams of Leon County, and providing punishment for the violations of this Act.

Also—

An Act to amend Section 4 of Chapter 6057 of the Laws of Florida, being entitled An Act to incorporate the Town of Gretna, in Gadsden County, Florida; to establish a municipal government, and to prescribe its jurisdiction and powers.

Also—

An Act to prevent the hunting, chasing, trapping, shooting or killing of deer, turkey and quail in the Counties of Taylor and Lafayette for the term of five years.

Has carefully examined the same and finds them correctly enrolled.

Very respectfully,  
C. T. CULPEPPER,  
Chairman of Committee.

And the Acts contained in the above report were referred to the Joint Committee on Enrolled Bills.

Mr. Malone, on behalf of the Joint Committee to visit the State Institutions of Learning, submitted the following report:

Tallahassee, Fla., May 22, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

*Sir:*

Your Joint Committee appointed under Senate Concurrent Resolution No. 6, as follows:

Resolved by the Senate, the House of Representatives concurring, That a committee of five, two from the Senate and three from the House be appointed to visit the

University of Florida, the College for Women, the School for the Blind and Deaf, and the Colored School, also the State Arsenal at St. Augustine and the permanent camp site at Black Point, Duval County, Florida, and to investigate the needs and management of said institutions, and report back to the Legislature with such recommendations as the conditions may warrant.

The committee visited the Institution for the Blind, Deaf and Dumb at St. Augustine, on April 20, 1911. Our visit was entirely unexpected, no notice having been given of our intention to visit on that day, yet we found the institution was in admirable condition, well managed, neat, and in every respect a credit to the State. A new building has recently been completed supplying dormitory space and class rooms; this has enabled the management to do more efficient work than heretofore, still they are somewhat crowded, and they are in need of other improvements so as to give these unfortunate wards of the State better advantages, and make them useful and self-sustaining citizens.

President Walker seems to be the one man adapted for this kind of work; he is patient, pains-taking and efficient. The children committed to his charge all love him as they would their own parents. The endeavor of the institution is to train the children morally, physically and intellectually, and from the exhibition given to your committee, we would say that these efforts are successful. We were very much delighted to note the ability of these students, one in particular gave a mental solution to a problem in geometry, that would have done credit to an older student with all faculties unimpaired. We find that these children are able to appreciate the finer arts, the same as if they possessed all their faculties. Your committee was astounded to witness a silent song by a young lady who had never heard sound, yet she rendered this selection with the same rhythm and enthusiasm that a trained artist would have displayed.

There is a lack of equipment for proper instruction in the industrial arts. The building which is now used is very small and cramped, and in some instances it is necessary for the negroes to come in contact with the white children; this must be remedied.

We would, therefore, recommend that a building be erected to be known as the Industrial Building, to cost



not more than \$30,000. This building is absolutely necessary.

We find that owing to the location of the institution outside of the corporate limits of the City of St. Augustine, that they have a very inadequate water supply, both for domestic use and fire protection. At present they are using water from the city water works; this is certainly unsatisfactory, as the City of St. Augustine could be enjoined from supplying this. Your committee took this matter under advisement, and consulted the Mayor of St. Augustine, in reference to an amendment to the city charter of St. Augustine, and also discussed the matter with Senator Zim and Mr. W. A. MacWilliams. These gentlemen all agree to so amend the charter of the City of St. Augustine, so as to allow that city to legally furnish all the water that is necessary for domestic use and fire protection.

We would recommend the sum of \$1,000 for the purpose of connecting up this institution with the water mains of St. Augustine, which will, in our judgment, furnish ample supply.

This institution is beautifully located from the water side, but the front is hidden from view. There is a tract of five or six acres of land immediately in front of this institution, fronting on the public road, shutting off a view of the road. It is necessary for the State to own this piece of land. It would make a beautiful campus in front of these buildings, and add to the value of the State's present holdings; even if for no other purpose, it may hereafter be acquired, and very undesirable buildings be placed there, which would be very detrimental to this institution. It would also be a good investment, because we are advised that land in this location is constantly increasing in value. We would, therefore, urgently recommend that the Board of Control be authorized to acquire this piece of property, and we would recommend an appropriation of \$5,000 for the purchase of the same. Through inadvertence or otherwise we find that the laboratories in the new building were not completed, and the floors were not covered with waterproof substance; as a result of this, the overflow from the bath tubs, etc., seeped through the floors and the plastering on the room beneath has all been washed off and broken; it is, therefore, necessary for this plastering to be replaced, and we

would suggest that the floors be tiled so as to prevent a recurrence of this injury. We would, therefore, recommend the sum of fifteen hundred (\$1500) dollars be appropriated for this purpose.

This school is very economically managed, no waste or extravagance in any of its departments. We would recommend that the sum of forty-five thousand (45,000) dollars be appropriated for the maintenance of this institution, for the coming biennium.

Total recommendations as to finances, as follows:

For Maintenance.....	\$45,000.00
Industrial Arts Building.....	30,000.00
For Purchase of Additional Land.....	5,000.00
Tile Floors for Bath Rooms and Toilets and Plastering .....	1,500.00
For Water Mains.....	1,000.00
Total .....	<u>\$82,500.00</u>

#### UNIVERSITY OF FLORIDA, GAINESVILLE, FLA.

Your committee visited the University of Florida at Gainesville on the 22nd of April, 1911. We were met by Dr. A. A. Murphree and Prof. P. H. Rolfs, who accompanied us over the grounds and through the building. The new Science Hall has just been completed and made ready for occupancy, affording the relief that has been needed for many years. The different sciences are taught to the young men of this State at this institution, and the facilities of this building enable the professors to more efficiently instruct their classes.

Thomas Hall, a building originally intended as one of the dormitories, is very much crowded, owing to the fact that class rooms, laboratories and the administrative departments of the University are all gathered in this building, thus crowding them to such an extent that almost destroys its usefulness.

The Agricultural Department is very much in need of new quarters, so as to accommodate the agricultural students, and the regular demonstration work for the benefit of the farmers of our State, to aid them in their work.

We are humiliated at the poor quarters and equipment of the Law Department. This department also needs

great relief, but we feel that the more urgent needs of the other departments will necessarily postpone the relief for this department, until some future occasion. We find that the Law Library is very inadequate. Even our own State Laws, and our Supreme Court Reports have not been furnished the Law School. We would recommend that two copies of the General Statutes, two copies of all subsequent Acts of the Legislature, three copies of the Acts of 1911, and two sets of the Reports of the Florida Supreme Court be furnished the Law Department. We would also suggest that the Clerk of the Supreme Court be given authority to transmit any volumes coming to him which are not needed by the Supreme Court. We understand that he receives copies of the various publications for the use of the Supreme Court.

We are glad to report that the high curriculum, and the efficient instruction of the University of Florida, are such that it is taking a first place among the higher institutions of learning in the country. We understand that it is at present claimed to be third among the institutions of the South, and the time will soon come when the people of the State will be able to point with pride to this institution. We would, therefore, urgently recommend that the cost of board be reduced, and that the Board of Control take this matter under advisement; we think that the present charges are excessive.

We recommend the following appropriations, and would urge their passage, because we feel they are absolutely necessary, in order for the high standing and efficiency of this institution to be maintained.

History and Language Building.....	\$ 40,000.00
Agricultural College Building.....	30,000.00
Completion of Thomas Hall.....	10,000.00
Dining, Kitchen and Matron's quarters.....	15,000.00
Library .....	6,000.00
Equipment for Agricultural Building.....	5,000.00
Purchase of land and improvement of campus	6,000.00
For maintenance .....	50,000.00

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Total .....\$162,000.00

## FLORIDA STATE COLLEGE FOR WOMEN, TALLAHASSEE, FLA.

On May 6th, 1911, your committee visited the Florida State College for Women, and investigated and inspected this institution in every detail. We questioned everyone in connection with this institution from Dr. Conradi to the negro cook in the kitchen, as we were desirous of ascertaining facts, and not rumors or opinions. We found that the institution, with the exception of a few minor details, is a credit to the State. The young ladies attending this school are proud of its management, and its efficiency. The curriculum of this school ranks with that of any college for women in the South, and we are proud to know that the girls of our State have, so near to their homes, the means of education, culture and refinement, that should be the heritage of every citizen of our State.

We would suggest, however, that music be made a part of the free curriculum, and that no charge be made for the use of the instruments by the students. We are of the opinion that the amount charged for board is too high. We would recommend that the Board of Control take this under advisement, and see that it is reduced.

We find that the lavatories of Bryan Hall were constructed in a very unworkmanlike manner, so that the overflow from the bath tubs, etc., seeped through the floors and the plastering on the rooms beneath has all been washed off and broken; it is therefore, necessary for this plastering to be replaced, and we would suggest that the floors be tiled so as to prevent a recurrence of this injury. We would, therefore, recommend the sum of fifteen hundred (\$1,500.00) dollars be appropriated for this purpose.

This institution is very much in need of more campus space; as the institution grows, it becomes more and more crowded. There are two or three negro cottages on the land that almost adjoins the campus, with only a street between. The City of Tallahassee would give the Board of Control consent to close this street, if it were not for these negro cottages. We would recommend that the Board of Control acquire this property, and then close the street, it would give quite an additional space. Perhaps it may be necessary to condemn this property, and we would recommend the passage of An Act conferring the right of Eminent Domain on the Board of

Control. It would help them in this case, and may be very useful in some future emergency.

We find that it is absolutely necessary that one additional dormitory be constructed, so as to accommodate the students who are clamoring for admission to the school.

We would recommend that the sum of five thousand (\$5,000.00) dollars be appropriated for the improvement of the campus in the manner suggested above.

The following appropriations are recommended:

Dormitory .....	\$ 50,000.00
Improvement of campus .....	5,000.00
Repairs to Bryan Hall .....	1,500.00
Maintenance for two years .....	80,000.00

Total .....\$136,500.00

AGRICULTURAL AND MECHANICAL COLLEGE FOR NEGROES,  
TALLAHASSEE, FLA.

Your committee visited the Agricultural and Mechanical College for Negroes, at Tallahassee, Florida, May 4, 1911. We were accompanied by the Mayor of Tallahassee and several other gentlemen. We were politely received by Prof. N. B. Young, the president of the institution, and shown through the buildings and over the grounds. They are very much in need of additional equipment; they are handicapped in many ways from doing efficient work. Special effort is being made to train the students in the mechanical arts and industrial pursuits; they are also given literary courses. As a whole, it is doing very good work.

Your committee, in addressing these people in their assembly, tried to impress them with the necessity of learning the industrial arts, that insofar as they became proficient a'ong these lines, they would become useful and respectable citizens. It was apparent to us that the faculty and students realize the importance of this, and we have no doubt that this institution will soon be the nucleus around which will cluster a better citizenship among our colored population.

Their dormitory is very inadequate, and relief should be granted; the main building is a veritable fire trap, the laundry for the whole student body is conducted in this building, exposing it to great danger from fire, and if

relief is not granted, we are confident that the time will soon come when some great calamity will happen. The grounds are so constructed that it was found to be impossible to have the agricultural department work with any degree of efficiency; to remedy this condition, the Board of Control has leased a large tract of land adjoining the grounds of this institution for its use. They have secured an option on this at a very reasonable figure, and we would recommend its purchase.

The following appropriations are recommended:

For purchase of land.....	\$4,000.00
For laundry building.....	3,000.00
Water and heating system.....	3,000.00
Dormitory.....	5,000.00
For the biennium maintenance.....	15,000.00
Total.....	<u>\$30,000.00</u>

#### STATE ARSENAL AT ST. AUGUSTINE.

In obedience to the resolution above cited, your committee visited the State Arsenal at St. Augustine, on April 20, 1911. We were met by Adjutant General J. Clifford R. Foster. The arsenal has the appearance of discipline about it that readily impresses one with its military character; everything is so absolutely orderly and official that betokens the strictest discipline; if the same rule operates in regard to the management of the State troops, as we observed at the arsenal, then we are confident that this State has a well disciplined militia. General Foster has in his charge about \$75,000 worth of equipment, composed of clothes, ammunition and other military paraphernalia. This is supplied by the United States Government, and is for the use of the State troops.

We cannot be too profuse in our praise of General Foster's management. This arsenal, although it is a State institution, is practically maintained by the United States Government, the State only paying the salary of the officials. It would be hard for us to estimate the value of this arsenal property, but it is fully one hundred and fifty thousand dollars.

## CAMP SITE AND RIFLE RANGE.

The next morning we visited the camp ground at Black Point. We were driven out in the Red Cross ambulance, and we found that the site is an ideal place for camps and maneuver grounds for our State troops. It borders on the St. Johns River, and is high, and free from moisture.

By reference to the report of the committee to the Legislature of 1909, on page 1630 of the House Journal, you will find complete data in relation to this site; we would make this reference a part of our report. We would quote the following from the Adjutant General's report, and verify the same:

"During the early part of the year the three buildings which were provided for by appropriation in 1909 were erected at the camp grounds; they are a warehouse, stable and barn, and cottages for the caretakers. The first named buildings are splendidly appointed and large enough to meet all requirements. The cottage, being small, must later be improved and added to. It is not as small, however, as the accompanying illustration would make it appear, for it has four average-sized rooms and a kitchen. The warehouse serves also the purpose of a depot at the end of the railroad track. This building is sixty (60) feet wide by one hundred and ten (110) feet in length." \* \* \*

"The character of the land, on that portion of the reservation which is to be used as a target range, is such that a considerable time will be required to put it in condition. Thickly grown over with pine trees, and rooted throughout with palmettos and underbrush, it has been a gigantic piece of labor to clean and grub it, and, even when this process has been completed and it has been entirely plowed, the vegetable matter must be given time to rot before it can be successfully harrowed, and graded to level preparatory to being planted with grass and given its finished surface. This portion of the tract, which forms the rifle range proper, embraces about one hundred and twenty-five (125) acres, and of this a strip three hundred (300) feet wide on the 1000-yard range, and embracing about twenty (20) acres, has been pushed toward completion for immediate use. The hundred feet of temporary rifle butts have been constructed at the end of this strip, and have been equipped with improved model

'Aiken Standard Iron Targets.' This portion of the range has been and is being used by the troops of the post of Jacksonville in their practice firing, and it is hoped that it can be put in such condition that the State Rifle Competition of 1911 can be held there."

The Atlantic Coast Line Railroad Company very generously constructed a spur from its main line touching the grounds, affording transportation facilities for the State troops. This can not be profitable to the Coast Line, and we feel constrained to commend the action as very generous and patriotic.

We will quote the following from the Adjutant General's last report in relation to this addition:

"The railroad spur to which reference is made above was constructed by the Atlantic Coast Line Railroad Company early this spring, and extends from Yukon Station on the main line of this road for a distance of nearly two miles into the center of the military reservation. The construction of this spur, with its switches and sidings, represents an expenditure of about \$10,000.00, which was generously made by the railroad company with the object of affording the State adequate and necessary transportation facilities at this point. The reservation at Black Point embraces, in all, nearly one thousand acres of land, and while the two camps which are at present being laid out and equipped provide accommodations for only two regiments—there is room to camp a division. The strategic advantages of such a rendezvous for troops in close proximity to Jacksonville, and at the very apex of the main transportation lines running through Florida to Pensacola and Tampa on the Gulf, and to Fernandina and Key West on the Atlantic Coast, can scarcely be overestimated. And the fact that this reservation, with its facilities for camping a large body of troops, will be immediately available in any emergency that may arise, makes this extension of the tracks of the Atlantic Coast Line Railroad, not only of great value for such purposes as are contemplated by the State authorities, but to the Federal Government as well. To give special emphasis to this assertion it is only necessary to recall the event of 1898, when it became necessary to quickly assemble in Florida the entire mobile army of the country."

We would recommend the appropriation of five thousand dollars (\$5,000.00) for the further improvement of



this ground, for sewerage and water front improvements, etc.

All of which is respectfully submitted,

WM. H. MALONE, JR.,  
BUELL COOK,

On the part of the Senate.

W. J. SINGLETARY,  
W. A. McLEOD,  
LOUIS A. HENDRY,

On the part of the House.

Mr. Calkins moved that the report be not read but that it be spread on the Journal.

Which was agreed to.

Mr. Hudson, Chairman of the Committee on Rules and Procedure, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 22, 1911.

*Hon. F. P. Cone,*

*President of the Senate.*

*Sir:*

Your Committee on Rules and Procedure begs leave to submit the following recommendations—

First. All special orders and orders of the day not disposed of before Wednesday, May 24, shall then stand rescinded.

Second. Beginning with Wednesday, May 24, there shall be a standing and continuing order of the day for the consideration of a committee calendar, and the said calendar shall be constituted as follows:

Each Senator shall have the privilege of designating a bill to be taken up and considered by the Senate, but such designation shall be made to the Chairman of the Committee on Rules and Procedure not later than 12 o'clock Tuesday, May 23, and all such bills shall be considered in their relative order upon the general calendar. For the purposes of this provision any resolution may be treated as a bill, and any Senator shall have the right, after designating any bill for consideration, to substitute any other bill therefor, in his discretion.

Third. All bills for the appropriation of funds for any department of the State government, and all general revenue bills, shall have precedence over all other matters upon request of the chairman of the committee having any such bills under consideration.

Respectfully,

F. M. HUDSON,  
Chairman of Committee on Rules and Procedure.

Mr. Hudson moved to adopt the report.  
Which was agreed to.

Mr. Hudson, Chairman of the Committee on Rules and Procedure, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 22, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

*Sir:*

Your Committee on Rules and Procedure begs leave to submit the following recommendations, to-wit—

First. That hereafter the Senate shall meet at 9 o'clock in the morning and 3 o'clock in the afternoon.

Second. That hereafter each Senator shall be limited in debate to five minutes on each question, and no Senator shall be permitted to use the time of another Senator, and there shall be no extension of time, except by unanimous consent.

Third. That a Senator who arises to a question of personal privilege shall be allowed one minute in which to state the question, and no more.

Fourth. Upon the calling of the roll on any question, a Senator may spread upon the Journal an explanation of his vote not to exceed one page of legal cap, but no oral explanation of votes shall be allowed.

Fifth. There shall be a session of the Senate on Wednesday, May 24, at 8:00 p. m., for consideration of the special Calendar of Local Bills.

Respectfully,

F. M. HUDSON,  
Chairman of Committee on Rules and Procedure.

Mr. Hudson moved to adopt the report.  
Which was agreed to.

The Committee on Municipalities reported unfavorably on—

House Bill No. 189:

A Bill to be entitled An Act to provide for amendment of the charters of incorporated cities or towns of this State by ordinance of Municipal Council submitted to the electors of such city or town.

The Committee on Municipalities reported unfavorably on—

House Bill No. 144:

A Bill to be entitled An Act to authorize incorporated towns and cities to establish and maintain free public libraries and reading rooms.

### ENROLLED.

The President announced that he was about to sign—

A Memorial to the Congress of the United States requesting that an appropriation of one hundred thousand dollars be made for the purpose of purchasing by the government of the United States the territory known as Dade's Battle Ground in Sumter County, Florida; turning said territory into a National Park and marking the site of the said battle with an appropriate monument.

Also—

An Act to repeal Chapter 5293 of the Acts of 1903, the same being An Act to regulate the hunting of deer, turkey and other wild game in Lafayette County.

Also—

An Act to amend Section 1586 of the General Statutes of the State of Florida, as amended by Chapter 5647 of the Acts of 1907, and as further amended by Chapter 5900, of the Acts of 1909, the same being relative to the pay of jurors.

Also—

An Act to amend Section 24 of the General Statutes of the State of Florida, relating to the boundaries of Lafayette County.

Also—

An Act legalizing the general election held in the city

of Live Oak, Florida, on the 2nd day of May, A. D. 1911, and declaring the city officers elected thereat to be duly elected officers of said city.

Also—

A Joint Resolution proposing an amendment to Article V of the Constitution of the State of Florida, relative to the Judiciary Department.

Also—

An Act to provide for the appointment of an Inspector of Nursery Stock, etc.

Also—

An Act to aid the Florida division of Confederate Veterans to erect in this State a monument or memorial in honor of the women of Florida and of the South in memory of their heroism, devotion and self-sacrifice during the Civil War in 1861-1865, and to appropriate five thousand dollars therefor.

Also—

An Act to require that all railroad locomotives operated and used for drawing passenger and freight trains shall be equipped with and use a headlight, and providing a penalty for a violation of said Act.

Also—

An Act to amend Chapter 5609 of the Laws of Florida, entitled An Act to provide for the enumeration of agricultural, horticultural, live stock, manufacturing, industrial and other statistics, etc.

Also—

An Act to amend Section 1 of Chapter 5431, being An Act for the protection of shad in this State, to prescribe a closed season therefor, to prohibit the transportation or possession of such shad during such closed season.

Also—

An Act to establish the municipality of the Town of Callahan, to provide for its government, fix its territorial limits, and to prescribe its jurisdiction and powers.

Also—

An Act to organize a municipal government for the Town of Brooker, in the County of Bradford, State of Florida, and to provide for its government.

Also—

An Act to abolish the present municipal government

of the Town of Green Cove Springs, Florida, and to organize a commission form of government for said town, and to provide its jurisdiction and powers.

Also—

An Act to create a School Book Commission and to provide for use in the public schools of the State of Florida a uniform series of text books, and to define the duties and powers of said commission to make preparation for carrying this Act into effect, and providing penalties for violation of same.

Also—

An Act to prohibit the printing and publication of the name or identity of any female raped or upon whom an assault may be made with intent to commit rape in this State, and providing a penalty for the violation thereof.

Also—

An Act to legalize the incorporation of the Town of Raiford in Bradford County, Florida, to declare the incorporation and ordinances of said town of full force and effect.

Also—

An Act authorizing the Board of County Commissioners of Suwannee County, Florida, to issue interest-bearing time warrants or county script for the purpose of raising funds with which to open, lay out, establish, grade, pave, repair, improve and construct public roads and highways within said county and to purchase all necessary teams, wagons, tools, implements, machinery, supplies and appliances for such purposes, providing for the issuing of said warrants under certain circumstances and for the levy of a special tax to redeem said warrants or script.

Also—

An Act to require persons, firms and corporations maintaining and operating public bath houses, bathing pavilions and other similar places at seaside resorts, to maintain life lines and life rafts for the protection of bathers and providing a penalty for failure to do so.

Also—

An Act declaring the Town of Fort Myers, Lee County, Florida, a city with all the rights and privileges of a city in addition to the rights and privileges heretofore conferred upon such town.

Also—

An Act to abolish the present municipal government of the City of Tallahassee, in the County of Leon, in the State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Tallahassee, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges.

The Acts were therefore duly signed by the President and Secretary of the Senate and ordered returned to the Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

### INTRODUCTION OF RESOLUTIONS.

Mr. Culpepper offered the following resolution—

Senate Committee Resolution No. 51:

Whereas, It appears that on the 24th day of April, 1911, a resolution was drawn allowing the Enrolling Committee of the Senate to employ one additional assistant, which resolution met the approval of the Committee on Legislative Expenses; and,

Whereas, Through some inadvertance said resolution was lost or misplaced and if ever introduced and adopted by the Senate, no record thereof appears on the Journal; and,

Whereas, Upon the strength of said resolution and the approval thereof by the aforesaid committee, the Chairman of the Committee on Enrolled Bills employed and placed to work, Mr. J. F. Canova, on the 27th day of April, 1911, now, therefore, be it

Resolved by the Senate, That the employment of Mr. J. F. Canova be, and the same is hereby approved and concurred in by the Senate, and the Committee on Enrolled Bills is hereby authorized to certify his name to the Treasurer of the State of Florida, to be placed on the pay roll from, after and including April 27, 1911.

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Mr. Culpepper moved to adopt the resolution.

Which was agreed to.

Mr. Culpepper, Chairman of Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 22, 1911.

Hon. F. P. Cone,  
*President of the Senate.*

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

A Memorial to the Congress of the United States requesting that an appropriation of one hundred thousand dollars be made for the purpose of purchasing by the government of the United States the territory known as Dade's Battle Ground in Sumter County, Florida; turning said territory into a National Park and marking the site of the said battle ground with an appropriate monument.

Also—

An Act to repeal Chapter 5293 of the Acts of 1903, the same being An Act to regulate the hunting of deer, turkey and other wild game in Lafayette County.

Also—

An Act to amend Section 1586 of the General Statutes of the State of Florida, as amended by Chapter 5647 of the Acts of 1907, and as further amended by Chapter 5900 of the Acts of 1909, the same being relative to the pay of jurors.

Also—

An Act to amend Section 24 of the General Statutes of the State of Florida, relating to the boundaries of Lafayette County.

Also—

An Act legalizing the general election held in the city of Live Oak, Florida, on the 2nd day of May, A. D. 1911, and declaring the city officers elected thereat to be duly elected officers of said city.

Begs to report that the same have been presented to the Governor for his approval.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee.

Mr. Culpepper, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 22, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

*Sir:*

Your Joint Committee on Enrolled Bills, to whom was referred—

A Joint Resolution proposing an amendment to Article V of the Constitution of the State of Florida, relative to the Judiciary Department.

Also—

An Act to provide for the appointment of an Inspector of Nursery Stock, etc.

Also—

An Act to aid the Florida division of Confederate Veterans to erect in this State a monument or memorial in honor of the women of Florida and of the South in memory of their heroism, devotion and self-sacrifice during the Civil War in 1861-1865, and to appropriate five thousand dollars therefor.

Also—

An Act to require that all railroad locomotives operated and used for drawing passenger and freight trains shall be equipped with and use a headlight, and providing a penalty for a violation of said Act.

Also—

An Act to amend Chapter 5609 of the Laws of Florida, entitled An Act to provide for the enumeration of agricultural, horticultural, live stock, manufacturing, industrial and other statistics, etc.

Also—

An Act to amend Section 1 of Chapter 5431, being An Act for the protection of shad in this State, to prescribe a closed season thereon, to prohibit the transportation or possession of such shad during such closed season.

Begs to report that the same have been presented to the Governor for his approval.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee.



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Senate Chamber,  
Tallahassee, Fla., May 22, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

*Sir:*

Your Joint Committee on Enrolled Bills, to whom was referred—

An Act to establish the municipality of the Town of Callahan; to provide for its government, fix its territorial limits, and to prescribe its jurisdiction and powers.

Also—

An Act to organize a municipal government for the Town of Brooker, in the County of Bradford, State of Florida, and to provide for its government.

Also—

An Act to abolish the present municipal government of the Town of Green Cove Springs, Florida, and to organize a commission form of government for said town, and to provide its jurisdiction and powers.

Begs to report that the same have been presented to the Governor for his approval.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee.

Mr. Culpepper, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 22, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

*Sir:*

Your Joint Committee on Enrolled Bills, to whom was referred—

An Act to create a State School Book Commission and to provide for use in the public schools of the State of Florida a uniform series of text books, and to define the duties and powers of said commission to make prepara-

tion for carrying this Act into effect, and providing penalties for violation of same.

Also—

An Act to prohibit the printing and publication of the name or identity of any female raped on upon whom an assault may be made with intent to commit rape in this State, and providing a penalty for the violation thereof.

Also—

An Act to legalize the incorporation of the Town of Raiford in Bradford County, Florida, to declare the incorporation and ordinances of said town of full force and effect.

Also—

An Act authorizing the Board of County Commissioners of Suwannee County, Florida, to issue interest-bearing time warrants or county script for the purpose of raising funds with which to open, lay out, establish, grade, pave, repair, improve and construct public roads and highways within said county and to purchase all necessary teams, wagons, tools, implements, machinery, supplies and appliances for such purposes, providing for the issuing of said warrants under certain circumstances and for the levy of a special tax to redeem said warrants or script.

Also—

An Act declaring the Town of Fort Myers, Lee County, Florida, a city with all rights and privileges of a city in addition to the rights and privileges heretofore conferred upon such town.

Also—

An Act to require persons, firms and corporations maintaining and operating public bath houses, bathing pavilions and other similar places at seaside resorts, to maintain life lines and life rafts for the protection of bathers and providing a penalty for failure to do so.

Also—

An Act to abolish the present municipal government of the City of Tallahassee, in the County of Leon, in the State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Tallahassee, and to define its territorial boundaries and

to provide for its government, jurisdiction, powers, franchises and privileges.

Begs to reports that the same have been presented to the Governor for his approval.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee.

Mr. Sloan was excused from attendance on the body until Wednesday on account of illness.

Mr. Cook was excused from attendance indefinitely.

Mr. Hosford was excused from attendance on account of illness.

The Janitor, Mr. Critchlow, was excused on account of illness in his family, for an indefinite period.

#### INTRODUCTION OF BILLS.

Mr. Malone stated that he was about to introduce three bills and asked that the disposition of them be considered together, and not separately, accordingly there was introduced:

By Mr. Malone—

Senate Bill No. 458:

A Bill to be entitled An Act to enlarge the powers of the Board of Control, and to confer the right of Eminent Domain upon said Board of Control, in certain cases.

Which was read the first time by its title.

By Mr. Malone—

Senate Bill No. 459:

A Bill to be entitled An Act making appropriation for the support and maintenance of the State Institutions for Higher Education, created and required to be maintained by Chapter 5384 of the Laws of Florida, approved June 5, 1905, now known as the University of Florida, the Florida State College for Women, the Florida School for the Deaf and the Blind and the Florida Agricultural and Mechanical College for Negroes.

Which was read the first time by its title.

By Mr. Malone—

Senate Bill No. 460:

A Bill to be entitled An Act to authorize the Secretary of State and Clerk of the Supreme Court to furnish certain books for the Board of Control for the use of the law school at the University of Florida.

Which was read the first time by its title.

Mr. Malone moved to waive the rules and that Senate Bills Nos. 458, 459 and 460 be made the special order for consideration at 11 o'clock Thursday, May 24.

Which was not agreed to.

Mr. Johnson moved to waive the rules and that Senate Bills Nos. 458, 459 and 460 be not referred to a committee but that they be placed on the Calendar of Bills on the Second Reading.

Which was agreed to by a two thirds' vote.

By Mr. Malone—

Senate Bill No. 461:

A Bill to be entitled An Act to establish a State Board of Veterinary Medical Examiners to regulate the practice of veterinary medicine and surgery in the State of Florida.

Which was read the first time by its title and referred to the Committee on Public Health.

By Senate Committee on Governor's Message—

Senate Bill No. 462:

A Bill to be entitled An Act relating to the right of homestead on certain lands belonging to the Trustees of the Internal Improvement Fund, and repealing Section 626 of the General Statutes of the State of Florida.

Which was read the first time by its title.

Mr. Calkins moved that the rules be waived, and that Senate Bill No. 462 be not referred to a committee, but be placed on the Calendar of Bills on Second Reading.

Which was agreed to by a two thirds' vote.

The bill was so placed.

By Senate Committee on Governor's Message—

Senate Bill No. 463:

A Bill to be entitled An Act to make the State Treas-

urer ex-officio Treasurer of the Trustees of the Internal Improvement Fund, and to prescribe his duties.

Which was read the first time by its title.

Mr. Calkins moved that the rules be waived, and that Senate Bill No. 463 be not referred to a committee, but be placed on the Calendar of Bills on Second Reading.

Which was agreed to by a two thirds' vote.

The bill was so placed.

By Senate Committee on Governor's Message—

Senate Bill No. 464:

A Bill to be entitled An Act to amend Section 2919 of the General Statutes of the State of Florida, relative to allowance of fee or reduced rates by common carriers.

Which was read the first time by its title.

Mr. Calkins moved to waive the rules, and that Senate Bill No. 464 be not referred, but be placed on the Calendar of Bills on Second Reading.

Which was agreed to by a two thirds' vote.

The bill was so placed.

By Senate Committee on Governor's Message—

Senate Bill No. 465:

A Bill to be entitled An Act to authorize sentences upon first offenders to be suspended in certain cases.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. Carney—

Senate Bill No. 466:

A Bill to be entitled An Act to define and prescribe the boundary lines between Marion County and the Counties of Levy, Alachua, Putnam, Lake, Sumter and Citrus.

Which was read the first time by its title.

Mr. Carney moved that the rules be waived, and that Senate Bill No. 466 be not referred to a committee, but be placed on the Calendar of Bills on Second Reading.

Which was agreed to by a two thirds' vote.

The bill was so placed.

By Mr. Carney—

Senate Bill No. 467:

A Bill to be entitled An Act relating to the indexing

of deeds, mortgages, agreements, pertaining to real or personal property, judgments, liens and lis pendens notice recorded in the office of the Circuit Court Clerk.

Which was read the first time by its title.

Mr. Carney moved to waive the rules and that Senate Bill No. 467 be not referred but placed on the Local Calendar of Bills on the Second Reading.

Which was agreed to by a two thirds' vote.

The bill was so placed.

By Mr. Massey—

Senate Bill No. 468:

A Bill to be entitled An Act to amend An Act entitled "An Act to provide for service by publication upon unknown parties in interest in property involved in certain chancery suits and for decrees and other proceedings after such service." Approved May 30th, 1905.

Which was read the first time by its title.

Mr. Massey moved to waive the rules and that the bill be not referred but be placed on the Local Calendar of Bills on the Second Reading.

Which was agreed to by a two thirds' vote.

And the bill took its position on the Local Calendar of Bills on the Second Reading.

By Mr. Massey—

Senate Bill No. 469:

A Bill to be entitled An Act to abolish the present municipal government of the Town of Winter Garden, in the County of Orange, and the State of Florida, and to establish, organize and constitute a municipality to be known and designated as the Town of Winter Garden, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges.

Which was read the first time by its title.

Mr. Massey moved to waive the rules and that the bill be not referred but be placed on the Local Calendar of Bills on the Second Reading.

Which was agreed to by a two thirds' vote.

And the bill took its position on the Local Calendar of Bills on the Second Reading.

By Mr. Williams—

Senate Bill No. 470:

A Bill to be entitled An Act to define the line between Levy and Alachua Counties.

Which was read the first time by its title.

Mr. Williams moved to waive the rules and that Senate Bill No. 470 be not referred but be placed on the Local Calendar of Bills on the Second reading.

Which was agreed to by a two thirds' vote.

The bill was so placed.

By Mr. Williams—

Senate Bill No. 471:

A Bill to be entitled An Act prescribing the manner and method of selecting petit jurors after acceptance by the court for service, for service on trials in the Circuit Courts, Courts of Record, Criminal Courts of Record and County Courts of the State of Florida.

Which was read the first time by its title.

Mr. Williams moved that Senate Bill No. 471 be not referred to a committee but that it be placed on the Calendar of Bills on the Second Reading.

Which was agreed to by a two thirds' vote.

And the bill was so placed.

By Mr. Hudson (by request)—

Senate Bill No. 472:

A Bill to be entitled An Act allowing members of the School of Medicine, known as the Physio-Medical School, to practice in this State under certain conditions without examination.

Which was read the first time by its title and referred to the Committee on Public Health.

By Mr. Hudson—

Senate Bill No. 473:

A Bill to be entitled An Act to authorize the Board of County Commissioners of Palm Beach County, Florida, to issue county warrants not to exceed fifty thousand dollars on the road fund of said county for the purpose of paying for the construction of certain roads, and providing the rate of interest which said warrants shall bear and how

and where payable, and the period for which said warrants shall run.

Which was read the first time by its title.

Mr. Hudson moved to waive the rules and that the bill be not referred but be placed on the Local Calendar of Bills on the Second Reading.

Which was agreed to by a two thirds' vote.

And the bill took its position on the Local Calendar of Bills on the Second Reading.

By Mr. Hudson—

Senate Bill No. 474:

A Bill to be entitled An Act giving to the electorate of the City of Miami, a municipal corporation organized and existing under the laws of the State of Florida, and located in the County of Dade, the power to recall any or all of its officers made elective under its present charter, namely, Chapter 5823, Acts of the Legislature of Florida, for the year 1907, and Chapter 6073, Acts of the Legislature of Florida for the year 1909.

Which was read the first time by its title.

Mr. Hudson moved that the rules be waived and that Senate Bill No. 474 be not referred to a committee but be placed on the Local Calendar of Bills on Second Reading.

Which was agreed to by a two thirds' vote.

And the bill was so placed.

By Mr. Hudson—

Senate Bill No. 475:

A Bill to be entitled An Act to legalize and validate an election held in Special Tax School District No. 6, of Palm Beach County, Florida, on the 31st day of January, A. D. 1911; to legalize and validate the issue and sale of certain bonds authorized to be issued by said election, to be sold by the Board of Public Instruction of Palm Beach County, Florida; and to legalize and validate the resolution of the trustees of said special tax school district providing for the creation of an interest and sinking fund for the payment of the principal and interest of said bonds, and making the Board of Public Instruction of said county the trustee of said fund.

Which was read the first time by its title.

Mr. Hudson moved that the rules be waived and that Senate Bill No. 475 be not referred to a committee but be



placed on the Local Calendar of Bills on Second Reading.

Which was agreed to by a two thirds' vote.

And the bill was so placed.

Mr. Massey moved to waive the rules and that he be permitted to introduce a resolution:

Which was agreed to by a two thirds' vote.

And—

Mr. Massey offered the following—

Senate Resolution No. 52:

Resolved by the Senate, That so much of Rule 22, as requires all bills and joint resolutions when introduced, to be committed before they are passed to Second Reading, be suspended until the further order of the Senate, and such bills and joint resolutions need not be so referred unless the reference be ordered by the Senate.

Mr. Massey moved to waive the rules and to consider the resolution.

Which was agreed to.

Mr. Massey moved to adopt the resolution.

Which was agreed to.

#### CONSIDERATION OF RESOLUTIONS.

House Memorial No. 7:

Relative to the income tax.

Was taken up.

And the consideration was informally passed in its order.

A message from the Governor was received.

Mr. Flournoy made the following motion:

I move to waive the rules and that further action on the message from the Governor, dated May 16, 1911, now just presented to and in the hands of the Secretary of the Senate, and which is a message regarding "The Creation of a Commission to Examine into the System of Pleading and Practice in this State," and which is a re-statement of the Governor's message of May 16, 1911, referring to the same subject, but which was excluded from the Senate Journal, as appears by the record on page 5 of the Senate Journal of May 17, 1911, except that the present message

excludes the latter part of the former message, and includes the Governor's message of May 16, 1911, referring to the Supreme Court, recommending the passage of a bill to reduce the number of Justices of the Supreme Court, and which latter message was spread upon the Journal without objection, as appears by the record on page 4, Senate Journal of May 17, 1911, be deferred and made an order of the day for tomorrow.

Which was agreed to by a two thirds' vote, and further action on the message was so deferred.

### MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 603:

A Bill to be entitled An Act affecting the government of the City of Jacksonville and conferring additional jurisdiction, powers and duties on said city, creating certain offices, reducing the terms of office of certain officials and abolishing certain offices and boards.

Also—

House Bill No. 629:

A Bill to be entitled An Act to amend Chapter 6005, Laws of Florida, Acts of 1909, the same being An Act to regulate the hunting of wild deer, turkey, quails, squirrel and other wild game in the County of Madison; prescribing the time when the same may be hunted therein, or killed therein, and providing for a license or permit to non-residents thereof, and prescribing the penalties for the violations thereof.

Also—

House Bill No. 434:

A Bill to be entitled An Act relating to the acquisition,

improvement and management of an Old Soldiers' Home and to provide the funds for such improvement.

Also—

House Bill No. 435:

A Bill to be entitled An Act to fix the salary of the Comptroller of this State.

Also—

Senate Bill No. 149:

A Bill to be entitled An Act to extend and enlarge the powers of the Railroad Commissioners of the State of Florida so as to give them the exclusive power and authority within the State of Florida to regulate charges of all persons, firms or corporations carrying on a telephone business within the State of Florida, and for other purposes.

Also—

House Bill No. 141:

A Bill to be entitled An Act to abolish the present convict lease system, to provide for the maintenance of the State and county convicts, and providing for the working of the said State and county convicts upon the public roads.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 603, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on Second Reading.

And House Bill No. 629, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on Second Reading.

And House Bill No. 434, contained in the above message, was read the first time by its title and was placed on the Calendar of Bills on Second Reading.

And House Bill No. 435, contained in the above message, was read the first time by its title and Mr. Stokes moved to waive the rules and that House Bill No. 435 be made an order of the day for tomorrow.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 149, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

Mr. Perkins moved to waive the rules and to make House Bill No. 141 an order of the day for tomorrow.

Which was not agreed to.

And House Bill No. 141, contained in the above message, was read the first time by its title and was placed on the Calendar of Bills on the Second Reading.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 18, 1911.

*Hon. F. P. Cone,*

*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the constitutional three fifths' vote of all members elected to the House of Representatives—

House Joint Resolution No. 222:

A Joint Resolution proposing amendments to Sections One (1), Sixteen (16) and Seventeen (17) of Article Three (3) of the Constitution of the State of Florida, relating to the legislative authority of the State of Florida.

Be it resolved by the Legislature of the State of Florida, That the following amendments to Section One (1), Section Sixteen (16), and Section Seventeen (17) as amended, of Article Three (3) of the Constitution of the State of Florida, be and they are hereby agreed to, and shall be proposed and submitted to the electors of this State for approval or rejection at the next general election hereafter, that is to say:

Section One (1) of said Article Three (3) shall be amended so as to read as follows:

Section 1. (1) The Legislative authority of this State shall be vested in a Legislature consisting of a Senate and a House of Representatives, and shall be designated, *The Legislature of the State of Florida*, but the people reserve to themselves power to propose laws and amend-

ments to the Constitution of the State, and to enact or reject such laws and amendments at the polls independent of the Legislature, and also reserve at their own option the power to approve or reject at the polls any act, item or section of any act, or resolution of the Legislature.

(2). The first power reserved by the people is the initiative, and twenty (20) per centum of the legal voters shall have the right to propose any legislative measure, and twenty-five (25) per centum shall have the right to propose amendments to the Constitution by petition, and every such petition shall include the full text of the measure so proposed.

(3). The second power reserved is the referendum and it may be ordered, except as to laws necessary for the immediate preservation of public peace, health and safety, either by petition signed by twenty (20) per centum of the legal voters, or by the Legislature.

(4). The percentage of legal voters hereinbefore stated shall be based upon the total number of votes cast at the last general election for the State officer receiving the highest number of votes cast at such election.

(5). All petitions submitted under the power of the initiative shall be known as "Initiative Petitions," and shall be filed with the Secretary of State not less than four (4) months preceding the date of the election at which the measures so proposed are to be voted upon, and all petitions submitted under the power of the referendum shall be known as "Referendum Petitions," and shall be filed with the Secretary of State not more than (60) days after the final adjournment of the session of the Legislature, which shall have passed the measure to which the referendum is applied, the filing of Referendum Petition against any item, or section of any act, or resolution, shall not prevent the remainder of such measure from becoming effective.

(6). Any measure or amendment to the Constitution proposed under the initiative, and any measure to which the referendum is applied, shall be referred to a vote of the qualified electors of the State, and shall become a law when approved by a majority of the votes cast thereon, and upon proclamation of the Governor, and not otherwise.

(7). The veto power of the Governor shall not extend to initiative or referendum measures approved by a majority of the qualified electors.

(8). The reservation of the power of the initiative and referendum in this Article shall not deprive the Legislature of the right to repeal any law, propose, or pass any measure, which may be consistent with the Constitution of the State and of the United States.

(9.) The Legislature shall make suitable provisions for carrying into effect the provisions of this section.

That Section Sixteen (16) of said Article Three (3) shall be amended so as to read as follows:

Section 16. Each law enacted, whether by the Legislature or by the people under the initiative, shall embrace but one subject and matter properly connected therewith, which subject shall be briefly expressed in the title, and no law shall be amended or revised to its title only; but in such case the act, as revised, or section, as amended, shall be re-enacted and published at length.

That Section Seventeen (17) of said Article Three (3) shall be amended so as to read as follows:

Section 17. Every bill passed by the Legislature shall be read by its title on its first reading in either House, unless one third of the members present desire it read by sections. Every bill shall be read on three several days, unless two thirds of the members present when such bill may be pending shall deem it expedient to dispense with this rule. Every bill shall be read by its sections on its second reading and on its final passage, unless on its second reading two thirds of the members present in the House where such bill may be pending shall deem it expedient to dispense with this rule. The vote on the final passage of every bill or joint resolution shall be taken by yeas and nays, to be entered on the Journal of each House; provided, that any general revision of the entire laws embodied in any bill shall not be required to be read by sections upon its final passage, and its reading may be wholly dispensed with by a two thirds' vote. A majority of the members present in each House shall be necessary to pass every bill or joint resolution. All bills or joint resolutions so passed shall be signed by the presiding officer of the respective Houses and by the Secre-

tary of the Senate and the Clerk of the House of Representatives.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,  
Chief Clerk of the House of Representatives.

And House Joint Resolution No. 222, contained in the above message, was read the first time by its title and was placed on the Calendar of Bills on Second Reading.

### ORDERS OF THE DAY.

The consideration of—

Substitute for Senate Bill No. 158:

A Bill to be entitled An Act to create scholarships for the several high schools in the State of Florida, and providing for the selection of persons for such scholarships and for the payment thereof, and making appropriations for the same.

Which was pending at adjournment Friday at 12 o'clock noon.

Was resumed.

Mr. Henderson moved to lay the substitute on the table. Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Senators Adkins, Baker, Calkins, Henderson, Hudson, Humphries, Johnson, L'Engle, Massey, Miller, Wilson, Withers—12.

Nays—Mr. President, Senators Broome, Carney, Culpepper, Davis, Dayton, Finlayson, Flournoy, Malone, McCreary, McLeod, Perkins, Stokes, Williams, Zim—15.

So the motion to lay on the table was not agreed to.

Mr. Baker explained his vote as follows: I vote to adopt the substitute because I think it better than the original bill.

The question recurred upon the motion to adopt the substitute as amended.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Dayton, Humphries, McLeod, Stokes, Withers, Zim—10.

Nays—Senators Calkins, Culpepper, Davis, Finlayson, Flournoy, Henderson, Hudson, Johnson, L'Engle, Malone, Massey, McCreary, Miller, Perkins, Williams, Wilson—15.

So the substitute was not adopted.

Mr. Baker explained his vote as follows:

I vote for the adoption of the substitute because it would do the greatest good to the greatest number.

Mr. Cone moved to lay Senate Bill No. 158 on the table.

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Henderson, Hudson, Humphries, L'Engle, Massey, McLeod, Miller, Withers—13.

Nays—Senators Calkins, Culpepper, Davis, Dayton, Finlayson, Flournoy, Johnson, Malone, McCreary, Perkins, Stokes, Williams, Wilson, Zim—14.

So the motion to lay on the table was not agreed to.

Mr. Williams offered the following amendment to—

Senate Bill No. 158:

In Section 1, lines 4 to 6, strike out the words "every ten thousand (10,000) and majority fraction thereof according to the Federal census taken next prior to such appointment."

Mr. Williams moved to adopt the amendment.

Mr. Johnson moved to lay the amendment on the table.

Which was agreed to.

And the amendment with the bill was laid on the table.

Mr. Johnson moved that the rules be waived and that the Governor's message be taken up out of its order and now considered.

Which was agreed to by a two thirds' vote.

And the Governor's message was taken up and read in full as follows:

State of Florida,  
Executive Department,  
Tallahassee, Fla., May 22, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

*Sir:*

I have the honor to return herewith, without my approval, a bill which originated in your honorable body, entitled:

An Act creating three additional Judicial Circuits



in the State of Florida, to be known and designated as Ninth, Tenth and Eleventh Judicial Circuits, and defining and fixing the territorial limits and boundaries of such additional circuits, and defining and fixing the territorial limits and boundaries of the eight existing Judicial Circuits.

In my opinion, conditions in this State do not justify the creation of three additional Circuit Courts. The business of the courts for several years can be satisfactorily administered without putting the State to the expense of eleven circuits, as contemplated by this bill.

This bill practically makes two circuits of the present First Circuit, dividing same into two circuits, to be known as the First and Ninth; the First Circuit to be composed of Escambia, Santa Rosa and Walton Counties, and the Ninth Circuits of Washington, Holmes, Jackson and Calhoun Counties. This changes the present Second Circuit by removing from it Calhoun County and having same embraced in the proposed Ninth Circuit. Should it be deemed necessary to change the present Second Circuit further, I am informed by the present Judge of the First Circuit that Holmes County might well be added to the new First, in which event Franklin County could well be made a part of the proposed Ninth. If such changes were made, one or more counties could be added to the present Second Circuit. In the bill the Second Circuit would be composed of Gadsden, Leon, Wakulla, Franklin, Jefferson and Liberty Counties. The present Third Circuit could then be similarly changed. The present Third Circuit, consisting of Hamilton, Taylor, Madison, Columbia, Suwannee and Lafayette Counties, is unchanged by this bill. In conversation with the present Judge of the First Circuit, I learn that relief is needed for said circuit. I recommend the passage of an act defining the limits and boundaries of the First and the proposed Ninth Circuits, as defined in this bill, or with such changes as the Legislature may deem advisable.

By examining this bill, it will be observed that the present Fourth Circuit, consisting of Duval, Nassau, Clay and St. Johns Counties, remains the same. This circuit needs relief. However, there has been passed by the Legislature a proposed amendment to the State Constitution by which Duval County will have a Circuit Court of its own. As the expense of said court is to be borne largely

by Duval County, it seems safe to say that this proposed amendment will be adopted by the qualified electors.

Within two years, the present Fourth Circuit and the proposed Fourth Circuit, the two embracing the same territory, will be relieved through the operation of the proposed constitutional amendment. After the expiration of two years, it is therefore safe to say that two or more counties could be well added to this Fourth Circuit, the same being taken from other circuits, thereby relieving the same, if such be deemed necessary.

This bill leaves the Fifth Circuit exactly as at present, the circuit being composed of Marion, Citrus, Hernando, Sumter and Lake Counties. The bill leaves the Eighth Circuit the same as it is now. This circuit is composed of Alachua, Bradford, Levy, Putnam and Baker counties.

The bill divides the present Sixth and Seventh Circuits into four circuits. It is recommended that from these two circuits three circuits be created, to be known as the Sixth, Seventh and Tenth Circuits.

As a tentative proposition, it is recommended that the Sixth Circuit be composed of Hillsboro, Pasco, Manatee counties, and the new County of Pinellas, should said new county become a county; that the Seventh Circuit be composed of Volusia, Brevard, St. Lucie, Palm Beach, Dade and Monroe; and that the Tenth Circuit be composed of Orange, Osceola, Polk, DeSoto and Lee counties.

It will be observed that the Seventh Circuit, as herein recommended, will be composed of six counties. Should the growth of these counties in the future warrant it, Volusia and probably Brevard could be added to the Fourth Circuit.

Monroe being a maritime county, has very little civil business. That county has a Criminal Court of Record. So has Dade County. There does not seem to be justification for making a circuit of Monroe, Dade and Palm Beach counties, as is contemplated in the bill.

I therefore recommend the passage of An Act defining and fixing the territorial limits and boundaries of the First, Second, Third, Fourth, Fifth and Eighth Circuits, and the proposed Ninth Circuit, substantially as defined and fixed in this bill. I recommend that three circuits be created out of the present Sixth and Seventh, to be known as the Sixth, Seventh and Tenth Circuits, the limits

and boundaries of the same to be as recommended or as may be determined by the Legislature. It is quite apparent that until January 1, 1913, the date on which the proposed Circuit Court for Duval County will become effective, the Judge of the Fourth Circuit will require clerical assistance. I recommend that \$75.00 per month, or such other amount as may be deemed necessary by the Legislature not to exceed \$100.00 per month, be appropriated for such purpose.

Very respectfully,  
ALBERT W. GILCHRIST,  
Governor.

The bill as vetoed by the Governor was also read in full.

Upon the question "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Calkins, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Williams, Wilson, Zim—23.

Nays—Senators Broome, Perkins, Stokes, Withers—4.

So the bill passed by a two thirds' vote, the objections of the Governor to the contrary notwithstanding.

Mr. Malone moved to waive the rules and to certify the passage of the Act, the Governor's objections thereto to the contrary notwithstanding, to the House of Representatives immediately.

Which was agreed to by a two thirds' vote.

Mr. Johnson moved that the Senate do now adjourn until tomorrow morning at 9 o'clock.

Which was agreed to.

Whereupon the Senate stood adjourned until 9 o'clock a. m. Tuesday, May 23, 1911.